

<b>TO:</b> <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following ☐ Patents or ☒ Trademarks:

DOCKET NO. <b>SACV07-0513</b>	DATE FILED <b>AG</b>	U.S. DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA	FILED 2007 MAR 7 PM 1:50 U.S. DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA
PLAINTIFF PHYSICIANS FORMULA COSMETICS, INC., a Delaware corporation		DEFENDANT PHYSICIAN FORMULAS, a California corporation and INTEGRITY HEALTH MARKETING	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 1187307	1/26/1982	PHYSICIANS FORMULA COSMETICS, INC.	
2 1735589	11/24/1992	PHYSICIANS FORMULA COSMETICS, INC.	
3 1759042	3/16/1993	PHYSICIANS FORMULA COSMETICS, INC.	
4 3204345	9/19/2002	PHYSICIANS FORMULA COSMETICS, INC.	
5 2691072	2/25/2003	PHYSICIANS FORMULA COSMETICS, INC.	

In the above-entitled case, the following patent(s)/trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above-entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT <b>Order</b>
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CLERK <b>SHERRI R. CARTER</b>	(BY) DEPUTY CLERK <b>L. WAGERS</b>	DATE <b>8-25-08</b>
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director  
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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17 Attorneys for Plaintiff  
18 Physicians Formula Cosmetics, Inc.

19 UNITED STATES DISTRICT COURT  
20 CENTRAL DISTRICT OF CALIFORNIA

21 PHYSICIANS FORMULA  
22 COSMETICS, INC., a Delaware  
23 corporation,

24 Plaintiff,

25 vs.

26 PHYSICIAN FORMULAS, a California  
27 corporation and INTEGRITY HEALTH  
28 MARKETING,

Defendants.

Case No. SACV-07-00513-CJC(MLGx)

The Honorable Cormac J. Carney

ORDER ON STIPULATED  
CONSENT JUDGMENT AND  
PERMANENT INJUNCTION

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. The Court has jurisdiction over the subject matter of the Complaint, and jurisdiction over PHYSICIANS FORMULA and the Defendants. Venue is also proper in this Court.

2. PHYSICIANS FORMULA has standing to bring this action.

3. PHYSICIANS FORMULA owns the PHYSICIANS FORMULA family of marks (as set forth in the Complaint).

4. Well after PHYSICIANS FORMULA began first use of the PHYSICIANS FORMULA family of marks, the Defendants began unauthorized use of the mark PHYSICIAN FORMULAS. PHYSICIANS FORMULA contends that the Defendants' use of PHYSICIAN FORMULAS is in contravention of PHYSICIANS FORMULA's prior rights in and to the PHYSICIANS FORMULA family of marks.

5. The public interest will be served by the protection and enforcement of PHYSICIANS FORMULA's PHYSICIANS FORMULA family of marks, and by the prevention of Defendants' use of PHYSICIAN FORMULAS.

6. The Defendants and their servants, employees, agents, representatives, affiliates and all persons acting on behalf or at the direction of, or in concert or participation with them are enjoined from:

- (a) using any mark that is part of the PHYSICIANS FORMULA family of marks, or any other mark containing or consisting of the terms "PHYSICIANS" or "FORMULA" or any mark confusingly similar thereto, except as expressly provided in the Parties' confidential settlement agreement;
- (b) representing in any manner that violated the confidential settlement agreement that any of the Defendants' goods or services are affiliated, connected, sponsored, approved or otherwise associated with PHYSICIANS FORMULA, or vice versa; and

(c) taking any other action in violation of the confidential settlement agreement that is likely to cause confusion, mistake or deception as to the source or origin of the Defendants' goods or services or of PHYSICIANS FORMULA's goods or services.

7. All Parties to the confidential settlement agreement are bound by and are to strictly adhere to the terms of the confidential settlement agreement.

8. The Defendants voluntarily relinquish their right to appeal this Judgment, or to challenge it in this Court or in any subsequent legal proceeding.

9. PHYSICIANS FORMULA and the Defendants shall each bear their own attorneys' fees, costs and expenses.

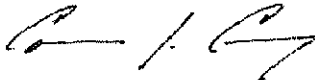
10. The Court shall retain jurisdiction for purposes of enforcement of this Consent Judgment and the Parties' confidential settlement agreement.

11. This Judgment resolves all issues between the parties in Civil Action No. CV-07-0513, which is hereby dismissed.

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Dated: April 11, 2008

IT IS SO ORDERED.



Cormac J. Carney  
United States District Judge